

217301US-0PCT



Rec'd PST/PTO 25 MAR 2002

10/009782B

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KEN-ICHI TAKEUCHI ET AL : ATTN: APPLICATION DIVISION
SERIAL NO: 10/009,782 :
FILED: DECEMBER 17, 2001 :
FOR: TRANSFORMED MICROORGANISM:
AND PROCESS FOR PRODUCING
D-AMINOACYLASE

SECOND PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, please amend the above-identified application as follows.

IN THE CLAIMS

Please add the following new claims.

5. (New) The transformed microorganism according to claim 1, wherein the D-aminoacylase-producing gene is obtained from *Alcaligenes xylosoxidans* subsp. *xylosoxidans* A-6 strain.

6. (New) The transformed microorganism according to claim 1, wherein the D-aminoacylase-producing gene is modified by designing a specific nucleotide sequence (GAAGGA) in the ribosome-binding site and inserting the nucleotide sequence in the position of the ninth base upstream of the translation initiation point of the gene.